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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

1647/10

Docket No.  
BAF-11302/29

OCT 20 2003

In Re Application Of: Ferree

Serial No.  
09/897,000

Filing Date  
July 2, 2001

Examiner  
S. Wegert

Group Art Unit  
1647

Title: **METHOD OF TREATING DISC HERNIATION AND DISC DEGENERATION WITH CONCENTRATED GROWTH AND DIFFERENTIATION FACTORS**

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OCT 27 2003

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

TECH CENTER 1600/2900

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☒ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of **\$180.00** is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

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*\*This certificate may only be used if paying by deposit account.*

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited 10-17-03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Sheryl L. Hammer  
Signature of Person Mailing Correspondence

Sheryl L. Hammer

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

Dated: Oct. 16, 2003

John G. Posa  
Reg. No. 37,424  
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CC:



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OCT 27 2003

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In re application of: Ferree

Serial No.: 09/897,000

Group No.: 1647

Filed: July 2, 2001

Examiner: Sandra L. Wegert

For: METHOD OF TREATING DISC HERNIATION AND DISC DEGENERATION WITH  
CONCENTRATED GROWTH AND DIFFERENTIATION FACTORS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Information Disclosure Statement be entered and the references listed on attached Form PTO-1449 be considered by the Examiner and made of record.

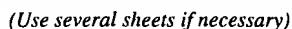
In accordance with 37 C.F.R. §1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possible material information as defined in 37 C.F.R. §1.56(a) exists. In accordance with 37 C.F.R. §1.97(h) this Information Disclosure Statement is not to be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

Respectfully submitted,

By

John G. Poga  
Reg. No. 37,424

Date: Oct. 16, 2003



1647

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**SHEET 1 OF 1**